

City of Santa Fe, New Mexico

memo

DATE: March 30, 2016 for the April 05, 2016 Board of Adjustment Meeting

TO: Board of Adjustment

VIA: Lisa D. Martinez, Director, Land Use Department
Greg Smith, Current Planning Division Director

FROM: Daniel A. Esquibel, Land Use Planner Senior, Current Planning Division

505 JUNIPER DRIVE SPECIAL USE PERMIT

Case #2016-19. Juniper Terrace Condominium Special Use Permit. JenkinsGavin Inc., agent for John Sumerlin, requests a special use permit to construct a third dwelling unit at 505 Juniper Drive, with a density greater than ten dwelling units per acre. The property is a 0.171-acre lot located at the northeast corner of Juniper Drive and Rio Grande Avenue, and is zoned R-21 (Residential maximum density of 21 dwelling units per acre). (Dan Esquibel, Case Manager)

RECOMMENDATION:

Staff recommends that the Planning Commission **APPROVE** Case #2016-19 505 Juniper Terrace Condominium Special Use Permit subject to conditions identified in **Exhibit A**.

I. APPLICATION SUMMARY

Chapter 14-7.2(F) requires a Special Use Permit when density within an R-21 District exceeds 10 dwelling units to the acre in R-12, R-21 and R-29 Districts. The request is to construct a detached third dwelling unit at 505 Juniper Drive increasing density from 11.69 du/acre to 17.54 du/acre. Existing development consists of two dwelling units resulting in a density of 11.69 du/acre on the 0.171 acre lot.

The Applicant's site plan identifies compliance with the dimensional Standards for residential districts pursuant to Tables 14-7.2-1 and 14-8.6-1 for height, setbacks, lot coverage, minimum open space and parking.

a. Adjoining Properties

The property is within an R-21 District and approximately 70 feet south of an R-5 District. The surrounding zoning and land uses are residential. (Reference Exhibit D-1 – “*Adjoining Zoning Map*”):

b. No negative comments were received from the City Development Review Team (“DRT”). (DRT comments can be found in Exhibit B).

II. REQUEST TO INCREASE MAXIMUM DENSITY

Chapter 14-7.2(F) requires residential projects that exceed a density greater than 10 dwelling units in an R-21 District to be approved as part of a Development Plan or Special use Permit. The applicant has addressed the factors required in Chapter 14-7.2(F)(2). [Exhibit F]

The General Plan Future Land Use Map (Exhibit D-2) designates the area as part of the “Moderate Density Residential” use category, along with several other residential neighborhoods surrounding the downtown. These areas are described as part of a “Historic Preservation Neighborhood and Conservation” area:

The Historic Preservation and Neighborhood Conservation Area consists of older neighborhoods which were substantially developed prior to 1940. This area reflects older development patterns and buildings of historic merit.

This designation is designed to preserve stable residential areas close to the downtown and prevent the intrusion of business district uses while conserving the developed character of these neighborhoods, so that permitted densities are consistent with developed densities. A wide range of residential uses, such as apartments, townhouses, and single family detached houses are permitted. [General Plan Section 3.5]

When the General Plan was adopted in 1999, it may have been intended that these neighborhoods would be downzoned. Only one neighborhood was actually downzoned, however – the Juanita Street neighborhood was rezoned to R-8 in 2008. The code was subsequently amended in 2013 to require a special use permit for a density over ten units per acre in all areas zoned R-12, R-21 or R-29.

Chapter 14-7.2(F)(2) requires the following factors to be considered in evaluating density beyond 10 dwelling per acre:

- (a) if the future land use designation shown on the general plan is high density residential;**
- (b) the need for the increased density; however, financial gain or loss shall not be the sole determining factor;**
- (c) if the increased density is needed to make the proposed development more affordable, what level of affordability will be provided and how that affordability will be guaranteed long term;**
- (d) densities of existing developments in the vicinity; and**
- (e) impacts of the increased density on the neighborhood and the community so that the increased density does not significantly interfere with the enjoyment of other land in the vicinity and is consistent with the spirit of Chapter 14 and in the general public's interest.**

The R-21 district that includes the project site contains approximately 41.3± acres. A GIS count of existing addresses within the District identifies 705 residences. The number of residences computes to an average density of approximately 17 dwelling units per acre for the District. Although the project site is not designated as “High Density” on the general plan, the existing density for the District reflects high density characteristics.

The proposed compact urban design on the lot is a pattern that can be seen throughout the District. Staff believes the increased density from 11 to 17 is justifiable and compatible with the area and the District Zoning to permit the proposed third dwelling unit on the 0.171± acre lot acre lot.

IV. SPECIAL USE PERMIT

The Santa Fe City Code requires A Special Use Permit review and approval for increased density above ten dwelling units per acre in an R-21 District.

a. 14-3.8(D) Approval Criteria

A special use permit is granted for a specific use and intensity. Pursuant to Subsection 14-3.6(D) (*Approval Criteria and Conditions*), to grant a special use permit the Board of Adjustment shall make the following findings:

14-2.3(D)(1)(a)- (Authority): *“that the land use board has the authority under the section of Chapter 14 described in the application to grant a special use permit;”*

Staff Analysis

Subsection 14-2.4(C) *Powers and Duties*, grants the BOA authority to take action on a special use permit. Table 14-6.1-1 establishes the special use permit requirement for residential density greater than ten units per acre in R-21 districts.

14-2.3(D)(1)(b)- (Public Interest): *“that granting the special use permit does not adversely affect the public interest, and”*

Applicant Response:

Development of Unit 3 will be in keeping with fabric of the surrounding neighborhood. Granting the Special Use Permit will not adversely affect the public interest. In fact, it will improve the neighborhood by providing an opportunity for appropriate infill on a property that is currently vacant and in need of improvement.

Staff Analysis

Review by city staff has determined that the proposed use is consistent with applicable city ordinances and policies that are adopted to protect the public interest, including minimum standards of Chapter 14 SFCC.

14-2.3(D)(1)(c)- (Compatible With And Adaptable To): *“that the use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the premises under consideration.”*

Applicant Response:

Much of the surrounding neighborhood is developed at R-21 density, including several nearby condominium developments. Developing the subject lot will afford completion of the condominium project and will be an asset to the neighborhood, removing the hazards associated with vacant lots in the midst of residential development.

Staff Analysis

Review by staff has not identified potential impacts in terms of the adverse impact on the adjacent and nearby residential uses. (Criterion (1)(b) - noise, traffic, etc.,) Criterion (1)(c) is also met, as an infill project that is consistent with the existing residential density, architectural style and building scale.

V. EARLY NEIGHBORHOOD NOTIFICATION (ENN)

The applicant conducted an ENN for this project on February 8, 2016, at the First Presbyterian Church 208 Grant Avenue. The meeting was well attended with audience participation. There were many questions regarding the project and the process. No concerns were raised at the meeting.

VI. CONCLUSION

The applicant has complied with all application process requirements. The applicant conducted a pre-application meeting on January 6, 2016, ENN on February 8, 2016. and complied with notice requirements pursuant to Section 14-3.1(H).

The Land Use Department has determined that the proposed application complies with the necessary approval criteria to increase maximum density within an R-21 District and for Special Use Permit. Should the Planning Commission approve the Case #2016-19, Staff recommends the conditions listed in Exhibit A.

VII. EXHIBITS

Exhibit A- Conditions of Approval

Exhibit B - DRT comments

1. Landscaping
2. Terrain Management
3. Water
4. Sewer
5. Environmental Services
6. Fire
7. Traffic Engineering Division

Exhibit C- ENN

1. ENN Notes
2. Guideline Questions

Exhibit D- Maps

1. Adjoining Zoning Map
2. Future Land Use Map

Exhibit F- Applicant Data

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EXHIBIT A

CONDITIONS OF APPROVAL

EXHIBIT A
Conditions of Approval
Case #2016-19
505 JUNIPER DRIVE SPECIAL USE PERMIT

	Condition	Department	Staff
1	<p>At time of building permit, application must be routed to Landscape Review to check compliance:</p> <ol style="list-style-type: none"> 1. Street trees are required 1 every 25-35 feet on Juniper Drive. 2. If more than 1000sf of common open space is landscaped, irrigation system must be provided. Irrigation system must be automatic, with a digital multi-programmable controller for landscaped areas larger than 1000sf. Irrigation system operation information, including monthly and seasonal irrigation schedules, and water budgets based on gallons used for landscape plantings for years one and three shall be included on the irrigation plan at time of construction permit. (Article 14-8.4(E)(4)(d)). 3. The owner shall properly maintain all materials and installation required by Section 14-8.4, including proper pruning, soil testing, fertilizing and weeding. (Article 14-8.4 (F)(2)). 	Land Use Technical Review Division (Landscaping)	Somie Ahmed, Planner Technician Senior March 29, 2016
2	All terrain management requirements of Article 14-8.2 must be met.	Land Use Technical Review Division	Risana B "RB" Zaxus, PE City Engineer March 1, 2016
3	The dwelling will require a separate water meter. The developer must apply for an Agreement for Metered Service with the Water Division.	Water Division	Dee Beingessner, Water Division Engineer March 2, 2016
4	The Applicant shall submit a Sewer Service Technical Evaluation request for the property to the Wastewater Division. A separate private sewer service line will be required to serve this property.	Wastewater Management Division	Stan Holland, P.E. February 29, 2016

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EXHIBIT B

DRT COMMENTS

City of Santa Fe, New Mexico

memo

DATE: March 14, 2016

TO: Dan Esquibel, Case Manager

FROM: Reynaldo Gonzales, Fire Marshal 

SUBJECT: Case #2019 Juniper Terrace Condominium Special Use Permit

I have conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) Edition. If you have questions or concerns, or need further clarification please call me at 505-955-3316.

Fire has no comments for the special use permit request. All fire issues will be addressed during the submittal permit process with land use.

City of Santa Fe, New Mexico

memo

DATE: March 29, 2016
TO: Dan Esquibel, Land Use Planner Senior
FROM: Somie Ahmed, Planner Technician Senior
SUBJECT: Comments for Case #2016-19, Juniper Terrace Condominium Special Use Permit

The following conditions of approval apply to the Juniper Terrace Condominium Special Use Permit. At time of building permit, application must be routed to Landscape Review to check compliance:

1. Street trees are required 1 every 25-35 feet on Juniper Drive.
2. If more than 1000sf of common open space is landscaped, irrigation system must be provided. Irrigation system must be automatic, with a digital multi-programmable controller for landscaped areas larger than 1000sf. Irrigation system operation information, including monthly and seasonal irrigation schedules, and water budgets based on gallons used for landscape plantings for years one and three shall be included on the irrigation plan at time of construction permit. (Article 14-8.4(E)(4)(d)).
3. The owner shall properly maintain all materials and installation required by Section 14-8.4, including proper pruning, soil testing, fertilizing and weeding. (Article 14-8.4 (F)(2)).

DATE: March 1, 2016


TO: Dan Esquibel, Land Use Senior Planner
Case Manager

FROM: Risana "RB" Zaxus, PE
City Engineer

RE: Case # 2016-19
Juniper Terrace Condominium Special Use Permit

If this case goes forward to the building permit stage, all terrain management requirements of Article 14-8.2 must be met.

City of Santa Fe
memo

DATE: March 2, 2016
TO: Dan Esquibel, Land Use Planner, Land Use Department
FROM: Dee Beingessner, Water Division Engineer 
SUBJECT: Case # 2016-19 Juniper Terrace Special Use Permit

There is existing water infrastructure that can serve the proposed third dwelling. The dwelling will require a separate water meter. The developer must apply for an Agreement for Metered Service with the Water Division.

Fire protection requirements are addressed by the Fire Department.



MEMO

Wastewater Management Division DEVELOPMENT REVIEW COMMENTS

E-MAIL DELIVERY

Date: February 29, 2016

To: Dan Esquibel, Case Manager

From: Stan Holland, P.E.
Wastewater Management Division

Subject: Case 2016-19 Juniper Terrace Condominium Special Use Permit

The subject property is accessible to the City public sewer system.

The following are conditions of approval:

1. The Applicant shall submit a Sewer Service Technical Evaluation request for the property to the Wastewater Division. A separate private sewer service line will be required to serve this property.

ESQUIBEL, DANIEL A.

From: KASSENS, SANDRA M.
Sent: Tuesday, March 08, 2016 10:01 AM
To: ESQUIBEL, DANIEL A.
Cc: ROMERO, JOHN J; Jenkins Jennifer (jennifer@jenkinsgavin.com)
Subject: Juniper Terrace Condominium Special Use Permit

Re: case # 2016-19, Juniper Condominium.

Dan,
The Traffic Engineering Division has no comments on the Special Use application for Juniper Terrace Condominium, located at 505 A Juniper Drive, Case #2016-19.

Sandra Kassens
Engineer Assistant
Engineering Division
Public Works Department
City of Santa Fe
505-955-6697

ESQUIBEL, DANIEL A.

From: LUCERO, ERIC J.
Sent: Friday, March 18, 2016 10:54 AM
To: ESQUIBEL, DANIEL A.
Subject: RE: 2016-19 505 Juniper Hills condominiums

Dan,

No comments at this time.

Thanks,

Eric J Lucero
City of Santa Fe
Environmental Services
Operations Manager
505-955-2205 office
505-670-6562 cell
ejlucero@santafenm.gov

From: ESQUIBEL, DANIEL A.
Sent: Thursday, March 17, 2016 4:47 PM
To: LUCERO, ERIC J.
Subject: 2016-19 505 Juniper Hills condominiums

Need comments for case 2016-19

[\\file-svr-1\Public\\$\Land Use Department\2016-19 505-Junniper Dr](\\file-svr-1\Public$\Land Use Department\2016-19 505-Junniper Dr)

Case #2016-19. Juniper Terrace Condominium Special Use Permit. JenkinsGavin Inc., agent for John Sumerlin, requests a special use permit to construct a third dwelling unit at 505 Juniper Drive, with a density greater than ten dwelling units per acre. The property is a 0.171-acre lot located at the northeast corner of Juniper Drive and Rio Grande Avenue, and is zoned R-21 (Residential maximum density of 21 dwelling units per acre). (Dan Esquibel, Case Manager)

Summary:


Ord. No. 2013-16 § 41 (Chapter 14-7.2(F)) introduced additional development standards for development that exceeds 10 dwelling units per acre in R-12, R-21 and R-29 Districts. Existing development for property located at 505 Juniper Drive currently contains 2 dwelling units for a density of 11.69 on 0.171 acres. The existing is density complies with the R-21 district but is considered legal nonconforming pursuant to Ordinance 2013-16 § 41. The request is to construct a detached third dwelling unit on a 505 Juniper Drive increasing density from 11.69 to 17.54. The city code pursuant to Chapter 14-7.2(F) requires a Special Use Permit when Density within an R-21 district exceeds 10 dwelling units to the acre.

Daniel A. Esquibel

Land Use Planner Senior
City Of Santa Fe, Land Use Department
Current Planning Division
(505) 955-6587 Work
(505) 955-6829 Fax
daesquibel@santafenm.gov E-Mail
PO Box 909
Santa Fe, New Mexico 87505-909

Physical Address: **200 Lincoln Ave.**
Santa Fe, NM 87505

City Web Page: www.santafenm.gov

On-Line Chapter 14 (Land Development)		Internet Map S
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EXHIBIT C

ENN Notes



City of Santa Fe Land Use Department Early Neighborhood Notification Meeting Notes

<i>Project Name</i>	Special Use Permit
<i>Project Location</i>	505 Juniper Drive
<i>Project Description</i>	Requests a Special Use Permit to construct a third dwelling unit at 505 Juniper Drive, with a density greater than ten dwelling units per acre.
<i>Applicant / Owner</i>	John Sumerlin
<i>Agent</i>	JenkinsGavin Inc.
<i>Pre-App Meeting Date</i>	January 6, 2016
<i>ENN Meeting Date</i>	February 8, 2016
<i>ENN Meeting Location</i>	First Presbyterian Church 208 Grant Avenue
<i>Application Type</i>	Early Neighborhood Notification Meeting
<i>Land Use Staff</i>	Dan Esquibel
<i>Other Staff</i>	None
<i>Attendance</i>	13

Notes/Comments:

The applicant conducted an ENN for this project on February 8, 2016 located at First Presbyterian Church 208 Grant Avenue. The meeting was well attended with audience participation. There were many questions regarding the project and the process. No concerns were raised at the meeting.

[Submit by Email](#)[Print Form](#)

Early Neighborhood Notification (ENN) Guidelines

Section 14-3.1(F)(5) SFCC 1987, as Amended

Please address each of the criteria below. Each criterion is based on the Early Neighborhood Notification (ENN) guidelines for meetings, and can be found in Section 14-3.1(F)(5) SFCC 1987, as amended, of the Santa Fe City Code. A short narrative should address each criterion (if applicable) in order to facilitate discussion of the project at the ENN meeting. These guidelines should be submitted with the application for an ENN meeting to enable staff enough time to distribute to the interested parties. For additional detail about each criterion, consult the Land Development Code.

(a) EFFECT ON CHARACTER AND APPEARANCE OF THE SURROUNDING NEIGHBORHOODS *For example: number of stories, average setbacks, mass and scale, architectural style, landscaping, lighting, access to public places, open spaces and trails. (Ord. No. 2008-29 § 3)*

Construction of the third condominium unit will comply with the Santa Fe City Code with regard to required setbacks, height, architectural style, landscaping, and lighting. Therefore, the residence will blend with the character and appearance of the surrounding neighborhood.

(b) EFFECT ON PROTECTION OF THE PHYSICAL ENVIRONMENT *For example: trees, open space, rivers, arroyos, floodplains, rock outcroppings, escarpments, trash generation, fire risk, hazardous materials, easements, etc.*

Xeriscaping will be provided in compliance with City landscaping requirements, and significant trees will be preserved. 250 s.f. of open space will be provided in accordance with City code.

(c) IMPACTS ON ANY PREHISTORIC, HISTORIC, ARCHAEOLOGICAL OR CULTURAL SITES OR STRUCTURES, INCLUDING ACEQUIAS AND THE HISTORIC DOWNTOWN *For example: the project's compatibility with historic or cultural sites located on the property where the project is proposed.*

The project is located in the Suburban Archaeological Review District, and no archaeological clearance is required. There are no known archaeological or historical sites on the property.

(d) RELATIONSHIP TO EXISTING DENSITY AND LAND USE WITHIN THE SURROUNDING AREA AND WITH LAND USES AND DENSITIES PROPOSED BY THE CITY GENERAL PLAN *For example: how are existing City Code requirements for annexation and rezoning, the Historic Districts, and the General Plan and other policies being met.*

The surrounding neighborhoods are zoned R-21 and R-5 and are developed at a density in accordance with their zoning designations. The proposed condominium unit is consistent with the density of the surrounding neighborhood and complies with the property's R-21 zoning. The Future Land Use designation calls for a mix of Moderate Density and Low Density residential development. The proposed project is in accordance with the General Plan's policy of infill development.

(e) EFFECTS UPON PARKING, TRAFFIC PATTERNS, CONGESTION, PEDESTRIAN SAFETY, IMPACTS OF THE PROJECT ON THE FLOW OF PEDESTRIAN OR VEHICULAR TRAFFIC AND PROVISION OF ACCESS FOR THE DISABLED, CHILDREN, LOW-INCOME AND ELDERLY TO SERVICES *For example: increased access to public transportation, alternate transportation modes; traffic mitigation, cumulative traffic impacts, pedestrian access to destinations and new or improved pedestrian trails.*

Two off-street parking spaces will be provided per City Code requirements.

(f) IMPACT ON THE ECONOMIC BASE OF SANTA FE *For example: availability of jobs to Santa Fe residents; market impacts on local businesses; and how the project supports economic development efforts to improve living standards of neighborhoods and their businesses.*

Construction of the proposed third unit will create jobs, which will in turn support the City's tax base.

(g) EFFECT ON THE AVAILABILITY OF AFFORDABLE HOUSING AND AVAILABILITY OF HOUSING CHOICES FOR ALL SANTA FE RESIDENTS
For example: creation, retention or improvement of affordable housing; how the project contributes to serving different ages, incomes and family sizes; the creation or retention of affordable business space. (Ord. No. 2005-30(A) § 4)

N/A

(h) EFFECT UPON PUBLIC SERVICES SUCH AS FIRE, POLICE PROTECTION, SCHOOL SERVICES AND OTHER PUBLIC SERVICES OR INFRASTRUCTURE ELEMENTS SUCH AS WATER, POWER, SEWER, COMMUNICATIONS, BUS SYSTEMS, COMMUTER OR OTHER SERVICES OR FACILITIES *For example: whether or how the project maximizes the efficient use or improvement of existing infrastructure; and whether the project will contribute to the improvement of existing public infrastructure and services.*

The proposed third unit will connect to existing City infrastructure. Improvements include underground power lines, a new utility pole, and new connections to City water, sewer, gas, and electricity.

(i) IMPACTS UPON WATER SUPPLY, AVAILABILITY AND CONSERVATION METHODS *For example: conservation and mitigation measures; efficient use of distribution lines and resources; effect of construction or use of the project on water quality and supplies.*

The project will comply with City water conservation requirements and with the Green Building Code.

(j) EFFECT ON THE OPPORTUNITIES FOR COMMUNITY INTEGRATION AND SOCIAL BALANCE THROUGH MIXED LAND USE, PEDESTRIAN ORIENTED DESIGN, AND LINKAGES AMONG NEIGHBORHOODS AND RECREATIONAL ACTIVITY AND EMPLOYMENT CENTERS *For example: how the project improves opportunities for community integration and balance through mixed land uses, neighborhood centers and/or pedestrian-oriented design.*

N/A

(k) EFFECT UPON SANTA FE'S URBAN FORM *For example: how are policies of the existing City General Plan being met? Does the project promote a compact urban form through appropriate infill development? The project's effect on intra-city travel; and between employment and residential centers.*

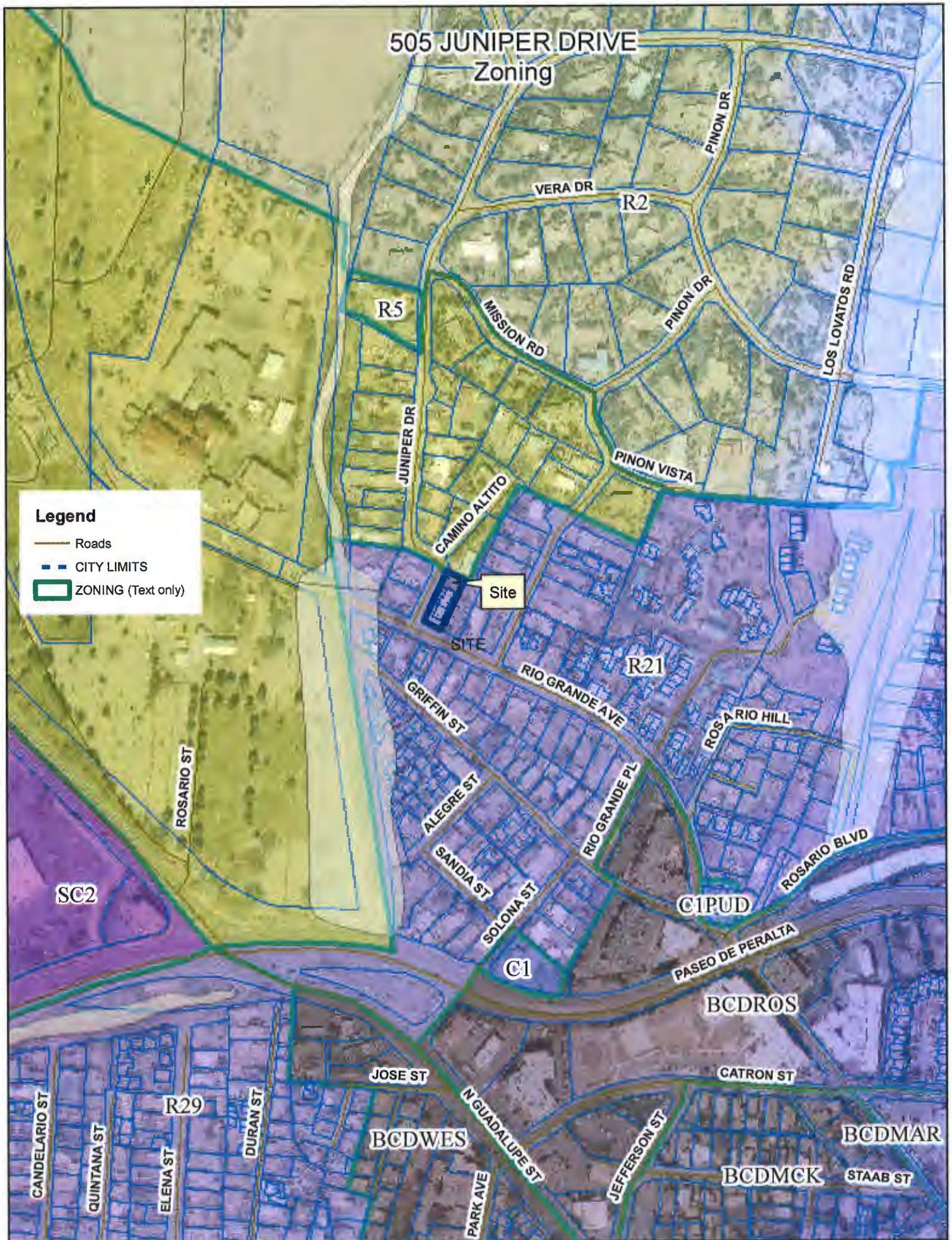
The Special Use Permit will allow the construction of the third condominium unit, thus promoting a compact urban form by developing a site that is currently vacant.

ADDITIONAL COMMENTS (Optional)









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EXHIBIT D

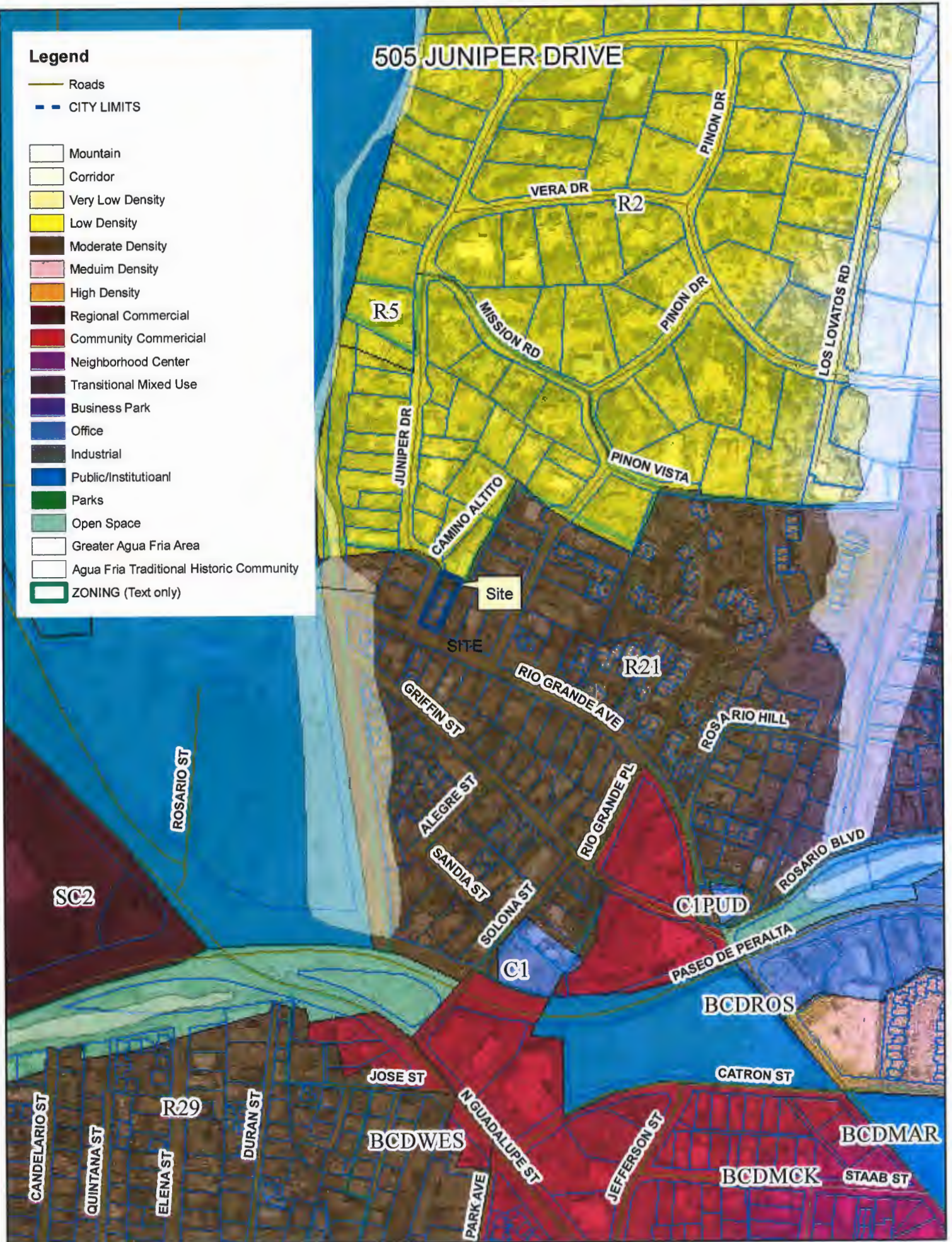
MAPs



Legend

-  Roads
-  CITY LIMITS
-  Mountain
-  Corridor
-  Very Low Density
-  Low Density
-  Moderate Density
-  Medium Density
-  High Density
-  Regional Commercial
-  Community Commercial
-  Neighborhood Center
-  Transitional Mixed Use
-  Business Park
-  Office
-  Industrial
-  Public/Institutional
-  Parks
-  Open Space
-  Greater Agua Fria Area
-  Agua Fria Traditional Historic Community
-  ZONING (Text only)

505 JUNIPER DRIVE



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EXHIBIT F

APPLICANT DATA



February 22, 2016

Dan Esquibel, Senior Planner
Land Use Department, City of Santa Fe
200 Lincoln Avenue
Santa Fe, NM 87501

**RE: JUNIPER TERRACE CONDOMINIUM
SPECIAL USE PERMIT APPLICATION**

Dear Dan:

This letter is submitted on behalf of John Sumerlin in application for a Special Use Permit to complete a planned 3-unit condominium in compliance with R-21 zoning, for consideration by the Board of Adjustment at their meeting of April 5, 2016. The ± 0.171 -acre (7,450 s.f.) subject property is zoned R-21 and is improved with two existing condominium units. The proposed third unit comprises a ± 0.05 -acre (2,295 s.f.) development site. Please refer to the attached Special Use Permit Application Site Plan.

Project Summary

The subject property was purchased in 2006. At that time, the property consisted of two attached dwelling units. In accordance with the property's R-21 zoning, the City of Santa Fe issued a construction permit to renovate the two dwelling units, with an area reserved for a proposed third unit (see attached Permitted Site Plan). Units 1 and 2 were constructed per the approved plans, and have since been sold. In 2007, a three-unit condominium plat was executed for the property (see attached Condominium Plat). The existing residence was divided into Unit 1 (615 Rio Grand Ave, 860 s.f.) and Unit 2 (505A Juniper Drive, 905 s.f.), with a reserved Development Rights Area for Unit #3 at 505B Juniper Drive. This third unit was never constructed.

In 2013, the City adopted Ordinance 2013-16, which mandates a Special Use Permit or Development Plan to develop at R-21 density. The applicant is now ready to construct Unit 3, thereby necessitating a Special Use Permit in compliance with the Ordinance.

Lot Size Requirements

The Project complies with the City Code's lot coverage, setback, and open space requirements as set forth in SFCC §14-7.2-1: Table of Dimensional Standards for Residential Districts, as listed below. Please refer to the attached Proposed Site Plan.

- Maximum Lot Coverage: 40% of 7,500 s.f. = 3,000 s.f.
Existing Roofed Area: 1,755 s.f.
Proposed Roofed Area: 882 s.f.
Total Lot Coverage: 2,647 s.f.
- Setbacks: Front 7'
Side 5'
Rear 5'
- Open Space: Required: 250 s.f. per unit
Existing: Unit 1 – 1,145 s.f.; Unit 2 – 255 s.f.
Proposed: 264 s.f.

Access and Parking

The Unit 3 site is accessed via Juniper Drive. An approved, existing curb cut providing off-street parking for Unit 2 has been widened, providing adequate access for two off-street parking spaces for Unit 3 as required by SFCC §14- 8.6-1, Parking and Loading Requirements.

Utilities

The Unit will connect to existing City water and wastewater lines in Juniper Drive. A water meter can has already been installed in Juniper Drive. Dry utilities will be run underground via the new utility pole that was installed as part of the previous improvements to the property.

Grading and Drainage

Much of the Project is currently developed as impervious area, including a concrete pad at the site of the existing storage shed, a paved barbecue area, and a retaining wall. A Grading and Drainage plan will be submitted at the time of construction permit and will include the requisite onsite water retention requirements.

Special Use Permit Approval Criteria

Outlined below are our responses to the approval criteria from Santa Fe Land Development Code §14-3.6(D)(1)(b) and §14-3.6(D)(1)(c).

§14-3.6(D)(1)(b) That granting the Special Use Permit does not adversely affect the public interest.

Development of Unit 3 will be in keeping with fabric of the surrounding neighborhood. Granting the Special Use Permit will not adversely affect the public interest. In fact, it will improve the neighborhood by providing an opportunity for appropriate infill on a property that is currently vacant and in need of improvement.

§14-3.6(D)(1)(c) That the use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the premises under consideration.

Much of the surrounding neighborhood is developed at R-21 density, including several nearby condominium developments. Developing the subject lot will afford completion of the condominium project and will be an asset to the neighborhood, removing the hazards associated with vacant lots in the midst of residential development.

Increase in Maximum Density Approval Criteria

Outlined below are our responses to the approval criteria from Santa Fe Land Development Code §14-7.2(F)(2).

(2) *In evaluating the proposed density, the following factors shall be considered:*

(a) *if the Future Land Use designation shown on the General Plan is High Density Residential;*

The Future Land Use designation shown on the General Plan is Moderate Density Residential (7-9 dwelling units per acre). However, the neighborhood is already developed to a higher density, which is supported by its R-21 zoning.

(b) *the need for the increased density; however, financial gain or loss shall not be the sole determining factor;*

As evidenced by the attached condominium plat and site plan, the applicant purchased the property in 2006 with the intention of creating a 3-unit condominium

in conformance with the property's R-21 zoning. The construction of Unit 3 as planned will complete the condominium.

(c) if the increased density is needed to make the proposed development more affordable, what level of affordability will be provided and how that affordability will be guaranteed long term;

N/A

(d) densities of existing developments in the vicinity; and

The surrounding neighborhood is already densely developed, including several condominium complexes on Rio Grande Avenue. The proposed third condominium unit will be in conformance with the existing density of the neighborhood.

(e) impacts of the increased density on the neighborhood and the community so that the increased density does not significantly interfere with the enjoyment of other land in the vicinity and is consistent with the spirit of Chapter 14 and in the general public's interest.

The proposed construction of one additional condominium unit in a neighborhood containing several significant condominium complexes will have no impact on the community. Enjoyment of other land in the vicinity will not be affected. The construction of Unit 3 is consistent with the City's General Plan, which calls for infill development. It is also consistent with the spirit of Chapter 14, as it is in alignment with the property's R-21 zoning and with the neighborhood's existing development patterns.

Early Neighborhood Notification

An Early Neighborhood Notification meeting was held on February 8th, 2016. There were nine neighbors in attendance. Discussion included the following topics:

- Questions regarding off-street parking. Neighbors expressed concern that the Project would increase on-street parking, which was seen as a hazard, particularly in the winter. Jennifer Jenkins explained that the Project would provide two off-street parking spaces as required by City code.
- Questions regarding drainage, and concerns that the Project would increase the likelihood of flooding at the bottom of Juniper Drive. Jennifer Jenkins explained that a Grading and Drainage Plan addressing onsite water retention would be required at the time of construction permit submittal.

Juniper Terrace Condominium
Special Use Permit Application

- Questions regarding the necessity for a Special Use Permit. Dan Esquibel explained the Special Use Permit requirement per Ordinance 2013-16 and stated that future development of Unit 3 would not affect overall neighborhood density, as it was already developed to an R-18 or R-21 density.

In support of this request, the following documentation is submitted herewith for your review:

1. Application Fee in the amount of \$380.00
 - Special Use Permit Application \$350.00
 - Public Notice Poster \$30.00
2. Special Use Permit Application
3. Condominium Plat
4. Permitted Site Plan
5. Letter of Owner Authorization
6. Warranty Deed
7. Legal Lot of Record
8. Special Use Permit Site Plan (2 full size copies + PDF)

Your assistance with this request is greatly appreciated. Please do not hesitate to call should you have any questions or need additional information. Thank you for your consideration.

Sincerely,

JENKINS GAVIN DESIGN & DEVELOPMENT

A handwritten signature in black ink, appearing to read 'Hillary Welles', with a stylized flourish at the end.

Hillary Welles